

Remarks

Claims 30 – 50 were also rejected as anticipated under 35 U.S.C. 102(b) over EP 0 696 602, issued to Blankenship. Blankenship discloses an encapsulation of hydrophilic polymers wherein the hydrophilic core is formed from a hydrophilic monomer and a nonionic monomer. The hydrophobic shell is formed with a nonionic monomer and an acid-functionalized monomer, such as (meth)acrylic acid. Unlike the present invention, the process of Blankenship requires critical time-sequencing during the addition of the acid monomer in polymerizing the shell polymer. Thus, the resulting process is extremely complex and technically complicated. Claim 30 of the present application has been amended to clearly state that there are no such timing restrictions in the process of the present invention. Claim 30 has been further amended to state that, unlike Blankenship, the latex morphologies formed under the present invention have raspberry or domain-like structures. Support for this amendment is found in the specification, and such structures are illustrated in Figures 1b and 1d. As anticipation under 35 U.S.C. 102(b) requires identity of invention, in view of the differences between Blankenship and the present invention it is respectfully submitted that claims 30 – 50, as amended, are patentable under 35 U.S.C. 102(b) over Blankenship.

Claims 30 – 50 were rejected under 35 U.S.C. 102(b) as being anticipated by EP426391, issued to Hoshino, or in the alternative under 35 U.S.C. 103(a) as unpatentable over Hoshino. Hoshino discloses a process for producing a synthetic resin emulsion having polymer particles that are core-shell particles. The core particles are prepared by emulsion polymerization of an acrylate ester and another vinyl-type monomer copolymerizable therewith. The shell is formed on the surface of the core particles by emulsion polymerization of a vinyl-type monomer and then successively hydrolyzing the core portion of the particles with an alkaline material. Unlike the aqueous dispersion of latex particles of the present invention, the resultant core-shell particles of Hoshino do not provide adequate storage stability and do not have satisfactory resistance to water. The particle sizes produced by the process of Hoshino are not uniform and thus the resultant emulsion is unsuitable for many purposes. There is no disclosure or suggestion in Hoshino of latex morphologies of a raspberry or domain-like structure, such as in amended claim 30. In addition, there is no disclosure of simultaneous addition of ingredients which are also included in amended claim 30. As anticipation under 35 U.S.C. 102(b) requires identity of invention, in view of the differences between Hoshino and the present invention it is respectfully submitted that claims 30 – 50, as amended, are patentable under 35 U.S.C. 102(b) over Hoshino. Further, there is no disclosure or suggestion in Hoshino that would lead a person skilled in the art to the present invention. Accordingly, it is respectfully submitted that claims 30 – 50 are patentable under 35 U.S.C. 103(a) over Hoshino.

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In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance. If there are any issues that the Examiner wishes to discuss, he is invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Charles W. Almer', written in a cursive style.

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